

FILED 05 APR 14 12:44 USDC-ORF

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GORDON SWANSON,

Petitioner,
v.

No. CV 05-508-JE

**ORDER GRANTING PETITIONER'S
MOTION FOR TEMPORARY RESTRAINING
ORDER**

CHARLES DANIELS, Warden,
Federal Correctional
Institution, Sheridan,
Oregon,

Respondent.

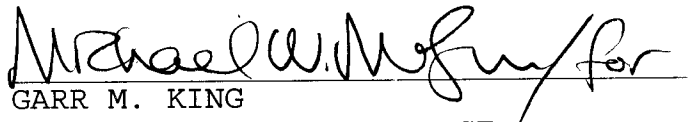
This Court heard Petitioner's Motion for Temporary Restraining Order (CR 4) on April 13 and 14, 2005. Based on the record, testimony of witnesses, and documentary evidence submitted by the parties, the Court finds that Petitioner has satisfied the requirements for the issuance of a temporary restraining order pursuant to Fed. R. Civ. P. 65.

The Court finds Petitioner has demonstrated a reasonable likelihood of success on the merits and irreparable harm if he remains in detention pending final disposition of this matter. The

relative harm to the Respondent if Petitioner is released is outweighed by the substantial harm to Petitioner if he is detained.

THEREFORE, the Court orders Respondent to release Gordon Swanson, Reg. No. 32936-086, forthwith. Pending final disposition of this matter, the Court places Mr. Swanson under the supervision of U.S. Pre-Trial Services, subject to the standard conditions of supervision, and such special conditions as may be imposed after notice and hearing.

DONE AND ORDERED this 14 day of April, 2005.


GARR M. KING
U.S. DISTRICT COURT JUDGE

Order Submitted by:

/s/ Christine Stebbins Dahl

Christine Stebbins Dahl
Assistant Federal Defender
Counsel for Petitioner

Copies to:

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Herb Sundby
Assistant United States Attorney

FCI Sheridan via facsimile to:
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Office of Warden Charles Daniels
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U.S. Pre-Trial Services
Attn. Brian Crist, Supervisor